



1783 (6)
[From the Birmingham and Stafford Chronicle.]

TO THE
P R O P R I E T O R S
O F T H E
B I R M I N G H A M C A N A L.

LADIES AND GENTLEMEN,

AS the publisher of the Birmingham Gazette, at the very time that he inserted an anonymous advertisement signed "A Proprietor of the Oxford and Coventry Canals," thought proper to reject my last address to you, merely because my real name was not subscribed to it, my further observations are necessarily confined to Mr. *Swinney's* News Paper, which I have ever found *open to all parties—influenced by none.*

You need not be informed that your affairs are at present embarrassed.---It may be of service to you to point out the causes of such embarrassment; which, I may venture to assert, has been occasioned by the contracted views and improper management of your several committees.

The original cause of all your present difficulties, is the deviation from the Line of Canal first held out to the coal masters on the Lower Level, when you solicited their concurrence in your first application to parliament. The writings of S. G. Esq; will furnish a proof that such deviation was made.

The injured Coal Masters have been for a long time silently seeking redress.---You are sensible that they now *must and will have it.*

You agreed to make the Canal to New Hall Ring.---Your committee refused to finish it. Mr. Colmore, who failed in his application to the Court of King's Bench, was at the expence of an act of parliament to compel you to do the thing which you had previously engaged should be done. Your committee persisted in neglecting to make the junction with the Staffordshire and Worcestershire Canal at Autherley, till they were, (*not greatly to your honour*) compelled to assign the profits of your canal to trustees, who had the power of applying the same for making such junction.

Your survey to Napton, in a former year, which you never had the least serious intention of pursuing with effect, has not raised your company very high in the esteem of the public; and the attempt, during the last summer, to draw a line of circumvallation round the north-eastern side of Birmingham, which was intended to exclude for ever all other navigable access to that town, has furnished mankind with very proper ideas of the wisdom and public spirit of your committee.---It seems that, however the members thereof may from time to time have been changed, your measures have been the same---they have proceeded systematically, even in things of less consequence.

In your petition to the House of Commons, you assert that the Mines upon the Lower Level have been discovered *since your canal was executed.* A wretched artifice this, calculated to obviate the force of the objection herein before stated, viz. "Your deviation from your original line."

In your printed case, lately distributed, you roundly assert "That your undertaking has occasioned a saving of 90,000l. per annum to the public for seven years past." Why do your committee adopt such monstrous positions?---They cannot expect them to pass unnoticed, for they know and feel that their opponents are awake.

Your

Your agents at Stafford, Worcester, Gloucester, &c. have been endeavouring to obtain petitions from these places against the New Canal, upon the strange pretence that the coals which supply these markets will be sent into Oxfordshire; and certain members of your private committee in London, *at the same time*, made overtures for making a canal for the very purpose of carrying *the same coals into Oxfordshire*.—Attend a moment to the consequence of this duplicity.—If you really and seriously offer to make such canal, the inhabitants of the places before mentioned will find out your attempts to deceive them, and will highly resent the indignity.

If you *do not* really and seriously undertake to make such canal, the noblemen to whom your committee in London have made such overtures, will perceive that you have only been amusing them—the consequence of this is obvious.

Nothing but the spirit of folly and infatuation could induce your committee to treat with an offensive reserve a noble and amiable Earl, to whom you are under the greatest obligations. He, till *within these few days*, has been kept in the dark as to the Meeting of the Delegates from the Four Companies held in the summer at Colehill. He was absent when this happened; and, to prevent his being alarmed at such a formidable confederacy, it was, it seems, thought most proper to keep him ignorant of it. This was not the effect of mere accident, for an eminent physician, of a communicative disposition, much interested in the canal, who lives on terms of intimacy with the noble Lord, was at Colehill on the day of the meeting, and conversed with some of the delegates; yet he, contrary to his usual custom, has been, in this respect, entirely silent.

There is something mysterious in the manner in which your committee have passed over the propositions of securing 10l. per cent. made to you by the Solicitors of the New Company.

Your silence has furnished them with at least plausible arguments in defence of their conduct. They probably would not have had this advantage, had your committee pressed them for explanations, which might have perplexed them to give in a satisfactory manner. This is a matter of great consequence to you—you have a right to full and explicit information on these heads, viz. The Committee either did or did not require the new company to explain themselves. If they did—who were the orders given to, and how were they executed? If they did not, let them take the blame on themselves.

What has been said may justify my assertions that your embarrassment arises from the contracted views and impolitic management of your committees.

To-morrow you are to assemble to consider of proper measures to be taken for extricating yourselves. The measures you determine upon must be carried into execution with promptitude and alacrity, and must be executed punctually too, for your sincerity is at present impeached by former misdeeds. Do not, for a moment, think that any temporary expedients will avail you. You have to treat with able men, well versed in public business. You are pressed hard by opponents of whom you once thought contemptibly, but have had reason to change your sentiments.

In a word, if you really wish to supplant them in the esteem of the three great navigation companies, you must take their ground.

You must engage to carry the whole length of the Old and extended Canal at one penny per ton, per mile. You must advance one half of the money requisite for finishing that part of the Coventry Canal which lies between Fazeley and Fradley-Heath; the whole of which will amount to 16,000l. and you must submit to be bound by an act, *now*, to certain commissioners, who, without any further application to parliament, or courts at law, are to have power, (in case you do not complete your undertaking in a limited time) to take and receive the tolls arising from your canal, and apply the money for the purpose of completing the above plan.

These things the New Company are determined to do, and these things, *provided your company could be legally bound to undertake fresh projects*, you must agree to do likewise.

I will suppose, for a moment, if such a supposition can exist so long, that you, who so evidently have been averse to the measure, are now sincerely and earnestly desirous of making the canal, permit me to ask, How is the money to be raised?

You

You cannot raise it by virtue of any determination of the *majority* of subscribers at the general meeting to-morrow, for your company has no powers but what are created by the act. These powers are confined to particular objects, viz. The making and maintaining a certain navigable canal in the act prescribed *and limited*, and not to make and maintain other fresh canals, which neither the legislature or the proprietors had in view when the act was obtained.

From common sense then, and the nature of things, it is evident that individuals of the company are not bound by any contract or resolution entered into, even by the majority of the company, to apply, *without their actual consent*, their share of the capital stock to execute such fresh projects.

If, therefore, the *actual consent* of *each and every* individual is necessary, I may justly conclude, that the dissent of one such individual will be fatal to the scheme.

But, supposing it otherwise, Who is to consent for orphans and widows under settlements? Will the guardians and trustees of these think it prudent to run a risque of their property, by entirely altering the nature of their security? In your printed case, you say that one hundred and fifty shares belong to widows and orphans.

There is only one way to get over this difficulty, which is to open a fresh subscription: But what will be the consequence? Strangers may be admitted, and then what becomes of the *pretence* which you lay claim to, *as the Old Birmingham Canal Company*? The undertaking will be to be executed by a *fresh company* of *adventurers lately formed*; and then, perhaps, the merits of the intended Billston Canal Company, in bringing matters to the present point, may be thought worthy of notice.

The foregoing is, I trust, a fair representation of your present situation, and the causes of it. The lines are strong, and the picture may not be pleasing. I have not attempted a pleasing but strong likeness; to flatter you at this period would be to destroy you.

My wish is to call the attention of the company at large to the management of their own affairs, at this important crisis.

If, from what I have said, there are any doubts about the present powers of the majority of the company to bind all parties to undertake fresh projects, let the opinion of council be taken. Fortunately for you—fortunately for this populous part of the kingdom, you can have easy access to an eminent practitioner at the bar, whose legal knowledge, candour, and integrity, have justly secured him the esteem and confidence of all who know him—he will soon remove all doubts.

Before you can determine with propriety on undertaking new canals, you should be furnished with estimates, signed by an *engineer of high character, who, for the sake of reputation, will be careful of leading you into errors*. If such estimates are not produced to-morrow, I conceive it would be proper for you to adjourn, for a few days, till that and the council's opinion can be procured. I do not see that any harm can arise from such adjournment, as you have till the 6th of February to prepare an application to parliament for any extension or fresh canal you may determine upon; when you have obtained this information, and the explanation of the conduct of your committee, in respect of the proposition of securing to you 10l. per cent. made by the New Company, you will have more sure grounds to go upon than you have at present.

Above all things, come to your general meeting with cool heads, and candid sentiments; always remembering, that to think rightly, and act fairly, is true wisdom.

I am, &c.

A PROPRIETOR.

January 2d, 1783.

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The first of these is the fact that the
British Museum is a public institution
and is open to all who wish to visit it.
The second is that the Museum is a
place of learning and research and
is a source of information for the
public and for scholars alike.

The third is that the Museum is a
place of interest and amusement for
the young and for the old alike.
The fourth is that the Museum is a
place of pride and honour for the
British people and for the British
Empire.

The fifth is that the Museum is a
place of power and influence for the
British Government and for the
British people.



BRITISH MUSEUM

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